

Remarks

The present amendment responds to the Official Action dated June 9, 2009. A petition for a three month extension to time and authorization to charge our credit card the fee of \$1,050 for this extension accompany this amendment. The Official Action makes a Requirement for Information under 37 C.F.R. 1.105. Claims 1-32 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claims 1-26, 30 and 31 were rejected under 35 U.S.C. 102(a) based on Sellers et al. U.S. Publication No. 2001/0044773 (Sellers). Claims 24-29 were rejected under 35 U.S.C. 101 as directed to non-statutory subject matter. Claims 27-29 and 32 were rejected under 35 U.S.C. 103(a) over Sellers in view of Glenn, "Loan Management Software Gets Wann Reception", Real Estate Finance Today, Feb. 8, 1999, vol. 16, issue 5, p. 6 (Glenn). Claims 1, 11, 14, 24 and 27 have been amended to be more clear and distinct. Claims 1-32 are presently pending.

Interview Summary

The Examiner is thanked for the courtesy of a telephone interview on November 12, 2009. During that interview, (1) a request was made to both clarify and better focus the Request for Information; (2) the Section 112 rejections were discussed, and (3) the evidence showing Sellers is not prior art under Section 102(a) was briefly discussed.

As to item (1), it was agreed that the answers would be made as to the knowledge of the inventors and if specific follow-up was desired as to the assignee more generally it would be made by specific follow-up questions.

As to item (2), it was agreed that specific language for claim 1 would be informally submitted by email. That was subsequently done with the Examiner indicating the proposal overcame the Section 112 issues as to claim 1. The present amendment formally submits the amendment of claim 1 with the minor change that in line 5 "initially submitting for a mortgage insurance claim" has been changed to "initially submitting a mortgage insurance claim" to improve the clarity of the wording. Similar amendments as appropriate to the remaining independent claims, have been made, but it is noted that as a result of differences in wording of the independent claims the changes are made on a claim by claim basis. The undersigned would be happy to discuss any revisions suggested by the Examiner if such revisions prove needed..

As to item (3), an Inventors' Declaration showing that the present invention was reduced to practice before the publication of Sellers and a Showing of Common Ownership are submitted herewith.

Request for Information

- (i) Commercial database: None known to the inventors.
- (ii) Search: Inventors did not perform a search, nor was one performed on their behalf.
- (iii) Related information: None. Allison (Pope) Mangin is also an inventor of U.S. Application Serial No. 09/862,210 relating to automatically generated business correspondence and U.S. Application Serial No. 10/449,258 related to real estate foreclosure bid computation, both of which are listed in Exhibit A.
- (iv) Information used to draft application: None.
- (v) Information used in invention process: None.

- (vi) Improvements: The Claims on the Web (COW) system of the present invention replaced an existing Claims Audit (Claude) system. The Claude system was not web based and did not allow customers to have any access thereto. Thus, customers could not externally access the system to make a claim or to view the status of a claim. Claims were submitted in writing by mail or fax, for example, and then they were processed internally.
- (vii) In use: The claimed invention was developed and used on an ongoing basis as addressed by the Inventors' Declaration submitted herewith to establish Sellers is not prior art under Section 102(a). Therefore, it is impossible to address "all" uses. However, a more specific question will be gladly responded to if the Inventors' Declaration does not provide the information requested by this query.
- (viii) Technical Information known to application: The present application was submitted with a software appendix. Allison (Pope) Mangin helped provide screen shots such as Figs. 4-20 used in preparing this application. It is not otherwise clear, what information is sought by this sub item, and clarification is requested if further information is desired.

With respect to information known to the assignee, the assignee is a large company engaged in the mortgage insurance business, as well as, other businesses. In light of this situation, the Examiner agreed to limit the request to the inventors and to supplement the request if needed. A list of other applications and patents assigned to the assignee of the present application is attached as Exhibit A hereto.

Section 112

As noted above, claim 1, without the noted change, was submitted by email to the Examiner who indicated it addressed the Section 112 issues as to that claim. As noted above, the present amendment seeks to make similar changes to the remaining independent claims.

Section 101

Claims 24-29 were rejected under 35 U.S.C. 101 as directed to non-statutory subject matter. It is believed that the amendments made to address the Section 112 rejection also serve to adequately tie the claimed processes "to a particular machine or apparatus" thereby overcoming the Section 101 rejection as well. The undersigned will be happy to discuss any remaining issue or issues by phone should that need arise and applicants are open to wording suggested by the Examiner to address same.

The Art Rejections

All of the art rejections are based on Sellers or Sellers taken in combination with Glenn. As addressed in greater detail below, Sellers does not anticipate, is commonly owned and, consequently, is not available as prior art.

As addressed beginning at page 1, lines 13-15, aspects of the present invention address improvements to methods and systems for submission and processing of mortgage insurance claims. As addressed at page 2, lines 2-9, in responding to such claims, time is of the essence. All of the claims address aspects of submission and processing of mortgage insurance claims. By contrast, Sellers addresses a "System and Method for Processing Loan Information" including mortgage loans directed to the workout process which precede submission of a mortgage

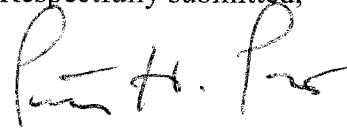
insurance claim. If the workout process is successful, a mortgage insurance claim is not submitted. If it is unsuccessful, an insured will then submit a claim, but Sellers does not address the initial submission of mortgage insurance claims as the claimed by the presently pending claims. As a result, Sellers does not anticipate.

The declaration of the inventors establishes that Seller is not prior art under Section 102(a). The claims as presently amended are not anticipated by Sellers as addressed above so that Sellers is not applicable under Section 102(e). A showing of Common Ownership has been submitted so that Sellers is not applicable under Sections 102(e)/103(a) and reliance thereon must be withdrawn placing the claims in order for allowance.

Conclusion

All of the presently pending claims, as amended, appearing to define over the applied references, withdrawal of the present rejection and prompt allowance are requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter H. Priest", written in a cursive style.

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Date: November 12, 2009

EXHIBIT A

Title	Country	Inventor Names	Application Number	Filing Date	Patent Number	Date Issued	Expiration Date	Status
Methods and Apparatus for Providing a Quality Control Management System	US	Bovarnick, Ellen Dobbins, Richard Dale	09/563,517	05/03/2000	6,700,575	03/02/2004	05/03/2020	Issued
Methods and Apparatus for Providing a Quality Control Management System	US	Bovarnick, Ellen Dobbins, Richard Dale	60/193,546	03/31/2000				Converted
Methods and Apparatus for Utilizing a Proportional Hazards Model to Evaluate Loan Risk	US	Palmgren, Matt Andrew Wypasek, Christian John	09/671,005	09/27/2000	7,392,216	06/24/2008	01/10/2025	Issued
Methods and Apparatus for Providing a Quality Control Management System	US	Bovarnick, Ellen Dobbins, Richard Dale	09/564,012	05/03/2000	6,704,015	03/09/2004	05/03/2020	Issued
Systems and Methods for Automatically Providing Analyses of Potential Savings Achievable with Lender-Paid Mortgage Insurance	US	Arehart, Kurt L. Mellin, Dorothy Sorge, Steve W.	09/717,058	11/20/2000		Ab. Date: 08/16/2005		Abandoned
Systems and Methods for Automatically Calculating Refund Due Upon Cancellation of Single Premium Mortgage Insurance	US	Jobe, Bruce A.	09/699,583	10/30/2000		Ab. Date:		Abandoned
Systems and Methods for Making Installment Loan Payments Using Payroll Debits	US	Wilson, Linda	09/748,935	12/27/2000		Ab. Date:		Abandoned
Systems and Methods for Optimizing Use of Mortgage Insurance Based upon Projection of Future Home Equity	US	Arehart, Kurt L.	09/748,934	12/27/2000		Ab. Date: 05/06/2005		Abandoned
Systems and Methods for Providing Multi-Level Security in a Network at the Application Level	US	Wert, Brian W. Aciri, Mark	09/908,512	07/18/2001		Ab. Date:		Abandoned

Date: November 12, 2009

Title	Country	Inventor Names	Application Number	Filing Date	Patent Number	Date Issued	Expiration Date	Status
Systems and Methods for Automatically Obtaining Loss Mitigation Loan Workout Decisions	US	Sellers , Sheila Webb, Marquita Antonopolo, Athanasia Mellin, Dorothy Galinski, Stephanie Crews, Rana Perry, R. Greg	09/788,132	02/16/2001				Pending
Systems and Methods for Integrating Mainframe and Client-Server Data into Automatically Generated Business Correspondence	US	Pope , Allison Nicole Simora, Kristin	09/862,210	05/22/2001		Ab. Date:		Abandoned
Methods and Apparatus for Management of Work Objects	US	Bradley , Donald A. Noble, Robert Peter Universal, Kevin	10/063,061	03/15/2002	6,934,716	08/23/2005	07/12/2024	Issued
Methods and Apparatus for Management of Data Storage Resources	US	Bradley , Donald A. Noble, Robert Peter	10/248,717	02/12/2003	7,092,975	08/15/2006	11/01/2023	Issued
Methods and Apparatus for Detecting and Providing Notification of Computer System Problems	US	Bradley , Donald A. Noble, Robert Peter	10/063,067	03/15/2002	7,130,902	10/31/2006	12/06/2023	Issued
Systems and Methods for Automatic Submission, Audit and Adjustment of Mortgage Insurance Claims	US	Dodd , Nancy J. Parker, Charla M. Pope, Allison Nicole Stewart, Joanne A. Whitney, Traci L. Johnston, Robert	10/036,605	12/21/2001				Pending
Systems and Method for Managing Customer-Related Communications	US	Volpe , James L. Dabkowski, Mark Johnson, Barry Simora, Kristin	09/997,571	11/29/2001		Ab. Date:		Abandoned
Systems and Methods for Increasing Business Productivity and Revenues by Identifying Critical Interactions Relating to Customers	US	Popillo , Richard J. Mizelle, Karla D. Strawbridge, Gary H. Curtis, III, Kenneth G.	10/036,801	12/21/2001		Ab. Date:		Abandoned
Systems and Methods for Making Disbursements of Real Estate Settlement Funds	US	Wilson , Linda	09/683,048	11/13/2001		Ab. Date:		Abandoned
Systems and Methods for Performing Financial Analysis of Proposed Captive Reinsurance Options	US	Carfi , Timothy M. Hammond, Scott	09/683,515	01/11/2002		Ab. Date:		Abandoned

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Systems and Methods for Automatically Obtaining Loss Mitigation Loan Workout Decisions	US	Sellers, Sheila Webb, Marquita Antonopolo, Athanasia Mellin, Dorothy Galinski, Stephanie Crews, Rana Perry, R. Greg	09/909,439	07/19/2001				Pending
Methods and Apparatus for Presenting Offers to Qualified Consumers	US	Antonello, Christopher Brimhall, Kevin James McLennan, Deborah Kay Curtis, Julia Wallace Noble, Robert Peter	09/682,851	10/24/2001	7,219,070	05/15/2007	08/01/2023	Issued
Methods and Apparatus for Design of Processes and Monitoring Performance of those Processes	US	Dombrosky, Daniel B. Goff, James R.	09/683,370	12/19/2001		Ab. Date:		Abandoned
Methods and Apparatus for Preparation and Administration of Training Courses	US	Womble, Debra H. Milligan, Cheryl A. Gallagher, Judith N.	09/683,375	12/19/2001	6,988,239	01/17/2006	02/09/2024	Issued
Methods and Apparatus for Electronic Reporting of Mortgage Delinquency	US	Cleary, Jill Alese Carpenter, Karen Yandle Wilson, Dawn Marie Murphy, Marian Joan Williamson, Daniel Earl	09/683,660	01/31/2002	7,587,361	09/08/2009	11/16/2025	Issued
Methods and Apparatus for Electronic Reporting of Mortgage Delinquency	US	Cleary, Jill Alese Carpenter, Karen Yandle Wilson, Dawn Marie Murphy, Marian Joan Williamson, Daniel Earl	12/553,385	09/03/2009		Ab. Date:		Abandoned
System and Method for Auditing Loan Portfolios and Loan Servicing Portfolios	US	Acosta, Oscar E. Bill, Mark S.	09/466,753	12/17/1999	6,643,625	11/04/2003	12/17/2019	Issued
System and Method for Facilitating Loan Underwriting by Providing a Purchase and Pricing Decision	US	Kelbaugh, Kathy Brecher, Stanley	09/432,839	11/01/1999		Ab. Date:		Abandoned
Methods and Apparatus for Collecting, Managing and Presenting Enterprise Performance Information	US	Mizelle, Karla D. Popillo, Richard J. Crane, Cheryl Dabkowski, Mark Ios, Kirsten	10/248,158	12/20/2002		Ab. Date:		Abandoned
System and Method for Subjectively Pricing a Loan	US	Kelbaugh, Kathy Brecher, Stanley	09/375,037	08/16/1999		Ab. Date:		Abandoned

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Title	Country	Inventor Names	Application Number	Filing Date	Patent Number	Date Issued	Expiration Date	Status
Deferred Payment Mortgage Insurance and Systems and Methods for Providing Deferred Payment Mortgage Insurance	US	Arehart, Kurt L. Rodgers, Jr., Robert E. Mock, Chris Taggart, John C. Sciandra, Peter Caceres, Jorge Fain, Lewis	60/429,145	11/26/2002		Ab. Date:		Abandoned
Methods and Apparatus for Real Estate Foreclosure Bid Computation and Presentation	US	Deane, Beverly Floyd Carpenter, Karen Yandle Pope, Allison Nicole Cleary, Jill Alese Krause, Robert Chris Williamson, Daniel Earl	10/449,258	05/30/2003				Pending
Methods and Apparatus for Marketing Mortgage Insurance and Associated Products and Performing Transactions Including Mortgage Insurance	US	Arehart, Kurt L.	10/714,278	11/14/2003		Ab. Date:		Abandoned
Methods and Apparatus for Allowing Consumers to Make Choices among Financial Service Providers and Providing Incentives to the Consumers	US	Foley, Timothy Daniel Krupa, Paul S. Adams, Dale Frederick O'Connor, Esq., Art	10/714,272	11/14/2003		Ab. Date:		Abandoned
Methods and Apparatus for Developing and Marketing Combined Insurance Packages	US	Castleman, James Fain, Lewis	10/714,281	11/14/2003				Pending
Methods and Apparatus for Data Routing and Processing	US	Noble, Robert Peter Bradley, Donald A. Lely, Debra S.	11/077,749	03/11/2005		Ab. Date:		Abandoned
Methods and Apparatus for Providing Mortgage Insurance with Appraisal Reimbursement	US	Schollaert, Christopher W. Kirian, Timothy R.	11/255,507	10/21/2005		Ab. Date:		Abandoned
Methods and Apparatus for Presenting Offers to Qualified Consumers	US	Antonello, Christopher Brimhall, Kevin James McLennan, Deborah Kay Curtis, Julia Wallace Noble, Robert Peter	11/743,334	05/02/2007				Pending

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Title	Country	Inventor Names	Application Number	Filing Date	Patent Number	Date Issued	Expiration Date	Status
Methods and Apparatus for Analysis of Opportunities for Marketing and Providing of Mortgage Services	US	Doyle, Brian Pollack, Erik D. Horniak, Michael Still, Mary	11/148,089	06/08/2005		Ab. Date:		Abandoned